

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DAWN M.,¹

Case No. 23-CV-3461 (NEB/DJF)

Plaintiff,

v.

**ORDER ON REPORT
AND RECOMMENDATION**

LELAND DUDEK²,
Acting Commissioner of Social Security

Defendant.

The Court has received the December 26, 2024, Report and Recommendation of United States Magistrate Judge Dulce J. Foster. (ECF No. 15.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 15) is ACCEPTED;

¹ This District has adopted a policy of using only the first name and last initial of any nongovernmental parties in orders in Social Security matters.

² Michelle King resigned as Commissioner of Social Security on February 17, 2025. Alan Rappeport, Andrew Duehren, and Nicholas Nehamas, *Top Social Security Official Leaves After Musk Team Seeks Data Access*, N.Y. Times, Feb. 17, 2025 [<https://perma.cc/H8ZX-DM6A>]. As of February 19, 2025, the Acting Commissioner is Leland Dudek.

2. Plaintiff Dawn M.'s Request for Relief (ECF No. 12) is DENIED; and
3. The Acting Commissioner's Request for Relief (ECF No. 14) is GRANTED.
4. The action is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 19, 2025

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge

[<https://perma.cc/SF7E-LBC8>] Under Rule 25, as the successor to former Defendant Michelle King, Dudek is "automatically substituted as a party." Fed. R. Civ. P. 25(d).